Regular Council
Tuesday, December 7, 2021 - 6:30 PM
MINUTES

1. Call to Order

   Council President Cheryl Robertson called to Order the City of Johnstown Regular Council Meeting for December 7, 2021 at 6:30 PM.

2. Roll Call

   Present - Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren
   Absent - Mayor Dutcher, Carol Van Deest

   Staff present - Jack Liggett - Assistant Village Manager, Abe Haroon - Chief of Police, Dana Steffan - Finance Director, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Ryan Green - Councilman Elect, Teresa Monroe - Clerk of Council

   Public present - Joe Ciminello, Al Fletcher, Brenda Fletcher, Al Dolezal, Cyndi Duke, Mary Queen Cool

3. Invocation - Mr. Lee

4. Pledge of Allegiance

5. Recognition - Deputy Chief Smart

   Chief of Police Abe Haroon recognized Deputy Chief Rusty Smart and his graduation from Northwestern University Center for Public Safety School and thanked Council for their support of continuing education.

6. Action on Minutes

   a. November 16, 2021

ACTION:	Benjamin Lee moved to Approve; Marvin Block seconded and all were in favor.
AYES:	Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 5 - 0

7. Citizen comments on matters not on the agenda

   There were no comments from the public.

8. Council Request - Joe Ciminello/Concord Crossing East

Joe Ciminello reviewed the sequence of events and actions taken by the Planning Commission in meetings on the Preliminary Plat application he submitted for Concord Crossing East. Said he paid $19,000 for the first application, he asked to table the application to make changes; the commission proceeded to a vote and the application was turned down. Mr. Ciminello said he has met all requirements for the Preliminary Plat application and requests that Council waive the fee for him to resubmit.

Marvin Block spoke to all the staff time and legal fees that the application fee pays for and said he is not in favor of waiving any fees at all, that we have paid out quite a few expenses.

Cheryl Robertson suggested that Council take the request under advisement tonight and get back to Mr. Ciminello.

9. Executive Session - To consider the employment of a public employee

Cheryl Robertson said the Executive Session would include members of Council, Jack Liggett, Dana Steffan, Teresa Monroe and Ryan Green.

ACTION:	Cheryl Robertson moved to enter Executive Session to consider the employment of a public employee; Doug Lehner seconded and the vote was as follows:
AYES:	Doug Lehner, Marvin Block, Ben Lee, Cheryl Robertson, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 5 - 0

Executive Session began at 6:47 pm. and returned to regular session at 7:17 pm

10. Council Committee reports

a. **Planning & Zoning:** Met 11/23/21 & 12/1/21; Next Special 12/13/21 @ 6:30 pm Council Chambers

Bailey Klimchak reported. November 23rd; heard an application for a Variance for construction on a new home located on Payne Street, a very small infill lot that does not fit into current zoning standards, the variance was granted. Commissioners finished review and edits to the zoning code draft; staff has some action items to complete and will return the draft to Planning and Zoning for final review before sending to Council.

December 1st; heard an application for Conditional Use located on Main Street, the application was tabled. Also heard an application for a Certificate of Appropriateness for a new retail store that would be located on US62 which was also tabled. A special meeting was set for Monday, December 13th at 6:30 pm.

Councilman Block asked Ms. Klimchak if she recalled getting a permit for a sign at the old Coughlin building, a sign added across another sign, for quick oil changes; Ms. Klimchak

said she did not. Zoning Inspector Jim Blair said he approved it, it was an just an add on sign. Mr. Block said glow signs are prohibited; Mr. Blair said he did not realize it was a glow sign, he would look into it. Mr. Block noted code 1176.06d.

b. **Safety & Service:** 12/7/21; Next 1/4/22 @ 5:00 pm Council Chambers

Mr. Lee reported. No information yet on the Hartford water line conversations, still waiting on the third round of awards from the State and nothing from the County on the ARPA request; Bailey Klimchak to follow up to ensure the application was sent in.

Safety and Service voted 3-0 in favor of directing staff to submit another application for County ARPA funds to support our sewer lining project. The Hartford water line would service Hartford/Croton specifically, this lining project would service the City of Johnstown, so we would have two applications in. Mr. Liggett updated council further on details of the sewer lining project; discussion on cost and Johnstown's portion to pay; discussion to continue in a special Finance Committee meeting. Mr. Lee said a vote of full council tonight would just direct staff time to begin the paperwork, conversations in committee could help narrow down the number. Application deadline is January 4, 2022.

ACTION:	Benjamin Lee moved to direct staff to begin the process of the application for the sewer lining with $500,000 as a baseline; Doug Lehner seconded and the vote was as follows:
AYES:	Marvin Block, Ben Lee, Cheryl Robertson, Sharon Hendren, Doug Lehner
NOES:	None
ABSTAIN:	None

Passed 5 - 0

Mr. Lee updated on Pulte with regard to the traffic light; the ODOT plans were sent to Pulte two weeks ago, there is movement and we have received some preliminary numbers. The project is continuing to move forward.

Mr. Lee said House Bill 494 has been introduced into the Ohio House, would give municipalities the ability to establish a school adjacent zone as an alternative to a twenty mile per hour school zone within a half mile of a school; noted specifically talking about what we could try to accomplish at Leafy Dell Elementary and said his thought was that Council could write a letter in support of the bill and send it to Representative Fraizer. Councilman Lee volunteered to draft the letter.

c. **Finance:** Met 11/16/21 reviewed last time; Next 1/18/22 @ 5:00 pm Council Chambers

Special meeting scheduled for December 13, 2021 at 5:00 pm.

d. **Economic Development:** 12/2/21 cancelled; Next 1/6/22 @ 10:00 am Admin conference room

Bailey Klimchak reported. An Eagle Scout volunteered to build a community library box to put in Hannahs Park; the Park and Rec committee had some suggestions for style and location but was overall supportive of it. Johnstown has been invited to apply for a TAP (Transportation Alternatives Program) grant which is due on January 31st; we will be applying for a multi-use trail through Raccoon Creek Park. Committee discussed an

appreciation plaque for "Chops" Montgomery, Mr. Block has spoken to the family about the wording and location in Bigelow Park. Ms. Robertson asked about the status of the trees being purchased by council members for the trailhead; Mr. Block said they are here but have not been planted. Mr. Liggett offered help planting.

e. **Park & Rec:** Met 11/18/21; 12/9/21 Cancelled

f. **Tree Commission:** Next 2/22/22 @ 5:00 pm Council Chambers

11. Director Reports

a. Service Department: Street, Water, Wastewater

Jack Liggett provided a staffing update; three vacant full time positions have been filled, two have started, one will start on 13th, the new Street Supervisor will start on the 20th and the part-time employee will start on February 1st.

Mr. Liggett reviewed department reports and provided additional updates; he met with Horizon about bringing broadband into town, they would like to send a preliminary notice out to the community through the water bills that this service is coming. They would also like to meet with Council at the second meeting in March to discuss how they want to bring it in and discuss franchise fees; Council was in favor of adding Horizon to the agenda. Added that he attended his first meeting with the group on the Mobility Hub; said by weeks end we should find out if we receive the $750,000 grant to move forward. Said if the grant is not received, it is very important to the group to know if Council is still supportive and behind the project, the group believes they have other avenues to get funding which will not cost the village money. There was also discussion on retaining someone to maintain the project; Mr. Liggett said another option is for an LCATS transportation specialist to step in to help support, potentially for no cost to the city. Ms. Klimchak said they would be approaching LCATS about their Mobility Manager. Mr. Block said he had a problem with bringing in LCATS, does not want to lose Johnstown as the "head of the table". Mr. Liggett said LCATS is already at the table but Johnstown is the hub of making this happen. Council members expressed favor for staying on board in support of the Mobility Hub and hiring someone with money budgeted.

12. Tabled Legislation - none

13. Public Hearings of Legislation

a. **ORDINANCE 47-2021** AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022

This is the 2022 City Budget Ordinance.

Mr. Lee said there are items not set yet, a third reading may be necessary; another Finance Committee meeting has been scheduled. Outstanding items for discussion:
1. Funding the Zoning Inspector role from a part-time to full-time position. Discussion on

the job description; Mr. Block said he thinks that full-time position should be licensed by the State to do all inspections and pull them back from the county. Current budget draft funds the full-time position.
2. Discussion on expenditure for the SSI software, $135,000 cost budgeted. Finance Director still waiting on an answer if our current server is capable of handling storage or if cloud base is needed. If cloud storage is needed, it would be an additional $10,000 per year; if kept in-house there could be additional costs to upgrade our server. Overview and discussion of new software capabilities.
3. Review of other projects and confirmation of budget funds.
4. Police Department costs built into the budget; moving dispatch to county and retaining one dispatcher; hiring an additional officer at the end of Q1 2022 and potentially and additional officer at the end of Q4 2022 based on how the budget is actualized. The fee paid to the county is figured in based on Chief Haroon's estimate. Chief Haroon the said his estimation for the cost of keeping dispatch is $306,000. If dispatch is dissolved and moved to the county, he estimates the cost at $242,000 with CAD and the one officer hired; he would like the council's direction. Mr. Lee noted that the decision to dissolve dispatch was born out of necessity and the loss of staff. Discussion on number of officers and costs. Ms. Robertson noted that the Fire Department uses county dispatch so this would not be new to the area. Chief Haroon noted that we are one of only two communities that have in-house dispatching, us and Granville, everybody else has been absorbed by the 911 center. Mr. Block said he has trouble voting on an estimate; Chief Haroon reviewed his estimate calculations. Mr. Block noted City Charter section 5.04 that says the manager should be the one negotiating contracts; continued discussion on staffing, services and how Chief Haroon arrived at his estimates.
5. Mr. Block asked Chief Haroon what his discussion was with the Concord East HOA; said he was told that Chief Haroon spoke at the meeting and said council was for the project and for giving the other access. Chief Haroon said he has not told them anything that has not been said in public meetings and that was inaccurate.

ACTION:	Cheryl Robertson moved that they move forward with dispatch going to the County 911 center; Sharon Hendren seconded and the vote was as follows:
AYES:	Ben Lee, Cheryl Robertson, Sharon Hendren, Marvin Block
NOES:	Doug Lehner
ABSTAIN:	None

Passed 4 - 1

Mr. Lee asked if with the budget as it sits right now, is council in favor of a third reading on the 14th; council was in favor.

b. **ORDINANCE 48-2021** AN ORDINANCE AMENDING ORDINANCE 34-20,THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

This is to increase certain expenditures for the fee that we pay RITA to do our taxes; with increased revenue there are increased fees because it is a percentage of the revenue they

collect for us. This will also increase appropriation for water deposit revenues due to more homes built. Net effect on finances is zero.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Marvin Block moved to Approve; Sharon Hendren seconded and the vote was as follows:
AYES:	Cheryl Robertson, Sharon Hendren, Doug Lehner, Marvin Block, Ben Lee
NOES:	None
ABSTAIN:	None

Passed 5 – 0

c. **ORDINANCE 49-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

This is for the new police cruiser approved earlier this year, will receive it this week, this is to receive the loan proceeds and to appropriate the money to pay the car dealership. The bank will be repaid over a period of three years and is built into the budget for debt service.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Benjamin Lee moved to Approve; Doug Lehner seconded and the vote was as follows:
AYES:	Sharon Hendren, Doug Lehner, Marvin Block, Benjamin Lee, Cheryl Robertson
NOES:	None
ABSTAIN:	None

Passed 5 - 0

d. **RESOLUTION 2021-50** A RESOLUTION TO ACCEPT THE RESIGNATION OF A PUBLIC EMPLOYEE AND APPOINT INTERIM MANAGER

Jim Lenner has resigned and Jack Liggett will be the interim City Manager.

Public Hearing: There were no comments either for or against the legislation.

Mr. Lee noted that the exhibit to the resolution is essentially a list of terms for Mr. Liggett with the additional responsibilities he will be undertaking and granting the authority of a City Manager within the Charter. Additional compensation is being discussed, will also state that after the interim period is complete and a full-time City Manager is on staff, Mr. Liggett

will be reinstated back to Assistant City Manager status as well as overseeing Water, Sewer and Street; the exhibit will be updated and attached.

ACTION:	Sharon Hendren moved to Approve; Doug Lehner seconded and the vote was as follows:
AYES:	Doug Lehner, Marvin Block, Ben Lee, Cheryl Robertson, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 5 – 0

e. **RESOLUTION 2021-51** A RESOLUTION TO APPOINT A CITY LAW DIRECTOR, CITY PROSECUTOR, MUNICIPAL COURT MAGISTRATE, CITY ENGINEER, AND CITY AUDITOR TO SERVE THE CITY AND ITS' EMPLOYEES FOR THE YEAR 2022

This lists appointments for 2022.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Sharon Hendren moved to Approve; Marvin Block seconded and the vote was as follows:
AYES:	Marvin Block, Ben Lee, Cheryl Robertson, Sharon Hendren, Doug Lehner
NOES:	None
ABSTAIN:	None

Passed 5 - 0

f. **RESOLUTION 2021-52** A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL REGULAR CITY COUNCIL MEETINGS FOR THE 2022 CALENDAR YEAR

Establishes the Council meeting schedule for 2022. No changes noted.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Benjamin Lee moved to Approve; Marvin Block seconded and the vote was as follows:
AYES:	Ben Lee, Cheryl Robertson, Sharon Hendren, Doug Lehner, Marvin Block
NOES:	None
ABSTAIN:	None

Passed 5 – 0

g. **RESOLUTION 2021-53** A RESOLUTION ESTABLISHING THE REGULAR MEETING DATES AND TIME FOR ALL REGULAR PLANNING & ZONING COMMISSION MEETINGS FOR THE 2022 CALENDAR YEAR

Establishes the Planning Commission meeting schedule for 2022. Mr. Lee asked why there was no meeting scheduled for January 11th. Planner Bailey Klimchak said new commission members will need to be appointed and there is no staff liaison to attend that meeting.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Benjamin Lee moved to Approve; Doug Lehner seconded and the vote was as follows:
AYES:	Cheryl Robertson, Sharon Hendren, Doug Lehner, Marvin Block, Benjamin Lee
NOES:	None
ABSTAIN:	None

Passed 5 - 0

h. **RESOLUTION 2021-54** A RESOLUTION ESTABLISHING SUBMITTAL DEADLINES FOR PLANNING & ZONING COMMISSION APPLICATIONS IN THE 2022 CALENDAR YEAR
This establishes deadlines for zoning applications.

Public Hearing:

1. Ryan Green; 408 Sunset

- Asked if with these submittal guidelines, would they still receive everything the Friday before meetings. Discussion on how the agenda timeline was set; Mr. Lehner said that should be revisited, he thinks some agenda items need more time for consideration.

ACTION:	Doug Lehner moved to Approve; Sharon Hendren seconded and the vote was as follows:
AYES:	Sharon Hendren, Doug Lehner, Marvin Block, Ben Lee, Cheryl Robertson
NOES:	None
ABSTAIN:	None

Passed 5 - 0

i. **RESOLUTION 2021-55** A RESOLUTION ESTABLISHING THE 2022 SCHEDULE OF HOLIDAYS FOR THE CITYOF JOHNSTOWN

Establishes the 2022 schedule of holidays; it was noted that New Years Day is being observed in 2021 which follows the handbook and rule for a holiday that falls on a Saturday.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Marvin Block moved to Approve; Doug Lehner seconded and the vote was as follows:
AYES:	Doug Lehner, Marvin Block, Ben Lee, Cheryl Robertson, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 5 – 0

j. **RESOLUTION 2021-56** RESOLUTION APPOINTING MEMBERS TO THE JOHNSTOWN TREE COMMISSION

Reappoints current members Marvin Block and Andy Bruney to the Tree Commission.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Benjamin Lee moved to Approve; Doug Lehner seconded and the vote was as follows:
AYES:	Marvin Block, Ben Lee, Cheryl Robertson, Sharon Hendren, Doug Lehner
NOES:	None
ABSTAIN:	None

Passed 5 - 0

k. **RESOLUTION 2021- 57** A RESOLUTION TO REAPPOINT MARVIN BLOCK TO THE JOHNSTOWN COMMUNITY IMPROVEMENT CORPORATION

This will reappoint Marvin Block to the Johnstown Community Improvement Corporation (CIC). Mr. Block confirmed his desire to be reappointed.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Sharon Hendren moved to Adopt; Doug Lehner seconded and the vote was as follows:
AYES:	Ben Lee, Cheryl Robertson, Sharon Hendren, Doug Lehner, Marvin Block
NOES:	None
ABSTAIN:	None

Passed 5 – 0

14. Introduction of Legislation

    a. **ORDINANCE 50-2021** AN ORDINANCE ENACTING CHAPTER 194 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES TO ESTABLISH A TRANSIENT OCCUPANCY TAX

    First reading of legislation to establish a Transient Occupancy Tax for four units and under or Hotel tax of five units and over.

    Public Hearing and Vote on December 14, 2021.

15. Other Business
    1. Openings on Planning and Zoning Commission discussed; advertisement for letters of interest started today. Deadline set for December 28th at noon.

16. Executive Session - To consider the employment of a public employee

    Ms. Robertson asked for a motion to enter Executive Session to consider the employment of a public employee with members of Council, Jack Liggett, Ryan Green, Dana Steffan and Teresa Monroe to attend.

ACTION:	Cheryl Robertson moved to Approve; Doug Lehner seconded and the vote was as follows:
AYES:	Cheryl Robertson, Sharon Hendren, Doug Lehner, Marvin Block, Ben Lee
NOES:	None
ABSTAIN:	None

Passed 5 - 0

Executive Session began at 9:15 pm; Council returned to Regular Session at 10:53 pm.

17. Adjourn

ACTION:	Cheryl Robertson moved to Adjourn; Doug Lehner seconded and all were in favor.
AYES:	Cheryl Robertson, Doug Lehner, Marvin Block, Ben Lee, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 5 - 0

Meeting adjourned at 10:53 pm

Next Council Meeting December 14, 2021